

GAU 1614 01²⁰

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re A	pplicati	on of:	Jean-Jacques BERTHELON et al.	
Serial 1	No.: 10/	019,683	3	Group Art Unit: 1614
Filed: I	May 20,	2004		Examiner: unknown
For: Dl	HYDR	OBENZ	ODIAZEPINS AND THEIR USE FO	OR TREATING DYSLIPIDEMIA
INFO	RMAT]	ION DI	SCLOSURE STATEMENT UNDE	R 37 CFR §§ 1.56, 1.97 and 1.98
P.O. B	ox 1450	for Pat) A 22313		
Sir:				
and 1.9	This in 98 as fo		on disclosure statement is made in acco	ordance with 37 C.F.R. §§ 1.56, 1.97
Timing	g and Fe	ees		
\boxtimes			.R. § 1.97(b), no fee or statement is rement is filed:	required for filing this information
٠			three months of the filing date of a nat \$ 1.53(d);	tional application other than a CPA
,			three months of the actual filing datation; OR	te of the national phase of a PCT
		before RCE).	the mailing of a first substantive office	e action (including after filing of an
	Under specifi	37 C.F. led in 37	R. § 1.97(c), this information disclosur 7 C.F.R. § 1.97(b), but before the mail	re statement is filed after the periods ling date of:
			a final rejection under 37 C.F.R. 1.11	13;
			termination of prosecution, e.g. Ex POR	Parte Quayle, M.P.E.P § 609(B)(2);
			a notice of allowance under 37 C.F.F.	R. § 1.311; and

		is acco	mpanied by:
			the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
			a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
_ ·	Under date of	37 C.F. the fol	R. § 1.97(d), this information disclosure statement is filed after the mailing lowing actions which have not been withdrawn:
			a final action under 37 C.F.R. § 1.113;
			termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
			a notice of allowance under 37 C.F.R. § 1.311;
	AND i	is filed o	on or before payment of the issue fee; AND is accompanied by:
			the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).
Staten	nents U	nder 37	C.F.R. 1.97(e)
			Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
			No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.
Cited	Materia	als	
		ances	es of materials listed but not attached were cited in benefit (35 U.S.C. § 120) tor application Serial No, on Form 892 by the Examiner and/or Form by the applicant; see 37 C.F.R. § 1.98(d).
	\boxtimes	report	es of materials listed but not attached were cited in an international search to dated <u>December 19, 2000</u> , and in the Hungarian Search report dated per 30, 2002

Non-English	Language References
\boxtimes	An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).
	A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:
	 X = document of particular relevance when it is taken alone Y = document of particular relevance when it is combined with another such document
	A = document defining the general state of the art
	O = non-written disclosure
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Other Inform	ation .
Payment of I	Fees Due (If Any):
A che	eck for \$ covering the fee identified above is attached.
Dleas	e charge to Deposit Account No. 13-3402 \$ for the fee identified above.

The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

Anthony J Zeland, Reg. No. 27,969 Attorney/Agent for Applicants

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Attorney Docket No.: MERCK-2358

Date: August 11, 2004

AJZ:ssr

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Complete if Known Substitute for form 1449A/PTO 10/019,683 Application Number INFORMATION DISCLOSURE Filing Date May 20, 2004 STATEMENT BY APPLICANT Jean-Jacques BERTHELON et al. First Named Inventor 1614 Group Art Unit (use as many sheets as necessary) unknown Examiner Name **MERCK-2358** Sheet of Attorney Docket Number

U.S. PATENT DOCUMENTS							
Examiner Initials *	Cite No.1		(ind Code ²	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY		
	001	3,780,023		JOHN T. SUH et al.	12-18-1973		
	002	4,554,273		BAYSSAT et al.	11-19-1985		
	003	5,260,339		MARTIN et al.	11-09-1993		
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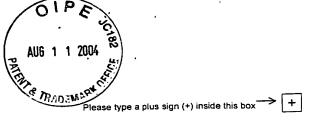
				FOREIG	N PATENT DOCUMENTS		Boos Columns Lines	
		Foreign Patent Document]	Date of Publication of	Pages, Columns, Lines, Where Relevant	
Examiner Initials*	Cite No.1	Office ³	Number ⁴	Kind Code ⁵ (<i>if known</i>)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T ⁶
	004	FR	2540871		LIPHA	08-17-1984		002
	005	wo	9605188		WELCOME FOUNDATION	02-22-1996		
	006	Нυ	182884			06-28-1983		003

		
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.



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	STAT	EMENT B	Y AF	PPLICANT	First Named Inventor	Jean-Jacques BERTHELON et al.	
		-			Group Art Unit	1614	
	(use as many she	ets as	necessary)	Examiner Name	unknown	
	Sheet	2	of	2	Attorney Docket Number	MERCK-2358	

	NON PATENT LITERATURE DOCUMENTS						
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2				
	007	LINDA L. SETESCAK ET AL: "4-ARYL-4, 5-DIHYDRO-3H-1, 3-BENZODIAZEPINES.3. 2-PHENYL AND 2-AMINO ANALOGUES AS POTENTIAL ANTIHYPERTENSIVE AGENTS" JOURNAL OF MEDICINAL CHEMISTRY., VOL. 27, NO. 3, - 1984 pages 401-404					
		TIMOTHY JEN ET AL.: "AMIIDINES. 4. SYNTHESIS OF TRICYCLIC GUANIDINES RELATED TO 1,2,3,5-TETRAHYDROIMIDAZO(2,1-B)QUINAZOLIN E, A NEW ANTIHYPERTENSIVE AGENT" JOURNAL OF MEDICINAL CHEMISTRY., vol. 16, no. 4-1973 pages 407-411					
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Examiner		Date	i
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